



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Customer Code # _____

Stage II Form C

Annual In-Use Compliance Certification

A. Stage II System Documentation

1. Stage II System Location:

Name of facility where the Stage II System is installed

Facility address

City/town

State

Zip code

2. Stage II System Responsible Official #1 (point of contact for Stage II related correspondence):

Name of Stage II System Responsible Official

Telephone number

Mailing address

City/town

State

Zip code

3. Stage II System Responsible Official #2 (fill out only if applicable):

Name of Stage II System Responsible Official

Telephone number

Mailing address

City/town

State

Zip Code

4. Stage II Annual Compliance Fee Billing Address:

Name of person to whom annual compliance fee is billed

Telephone Number

Name of company

Mailing address

City/town

State

Zip code

5. Stage II System Executive Order #: _____

6. Is any of the Stage II system documentation submitted in A. 1– 5 above, revised from the most recent Stage II system documentation submitted to DEP for this facility?

☐ Yes

☐ No

B. In-Use Compliance Testing and Submittal Requirements

1. In-Use Compliance Tests Required to be Performed and Passed (please print):

2. Testing and Submittal Dates: The last date a fully completed Form C can be submitted to DEP in compliance with program requirements, is the one-year anniversary of the date postmarked on the envelope used to submit to DEP the Stage II system's applicable Form A, or most recent Form C, which ever is later.

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



All required compliance tests must be performed and passed within the 30 days prior to the date postmarked on the envelope used to submit this Form C to DEP.



Stage II Form C

Annual In-Use Compliance Certification

Section C is to
be completed by
the Compliance
Testing
Company only.

C. Compliance Testing Company Certification

1. Name of Compliance Testing Company (please print): _____

Compliance Testing Company

2. DEP Stage II Compliance Testing Company ID #: _____

3. Installed Stage II System Executive Order #: _____

4. Are you in compliance with the requirements to confirm, prior to performing required compliance tests, that all required above ground Stage II system components are installed and are the correct components in accordance with the system's currently applicable Executive Order?

☐ Yes

☐ No

5. How many gasoline storage tanks are associated with this Stage II System?

☐ One (if one, skip to Question 6.)

☐ Two or more (if two or more, please answer the following question)

For Stage II Systems associated with two or more gasoline storage tanks, are you in compliance with the requirement to confirm, prior to performing required compliance tests, that the gasoline storage tanks are properly manifolded in accordance with the system's currently applicable Executive Order?

☐ Yes

☐ No

6. Are you in compliance with the requirements to perform each compliance test in accordance with the referenced test procedure?

☐ Yes

☐ No

7. For each required compliance test, provide the:

	date test first performed	results of the first test	date test performed & passed
a. Pressure Decay test	_____	pass/fail	_____
b. Vapor Tie test	_____	pass/fail	_____
c. P/V Relief Vent test	_____	pass/fail	_____
d. Dynamic Back Pressure/ Liquid Blockage test	_____	pass/fail	_____
e. Air/Liquid Volume Ratio test	_____	pass/fail	_____
f. Healy Fillneck Pressure test	_____	pass/fail	_____
g. Healy Vapor Return Line test	_____	pass/fail	_____

I certify that, **(a)** I have personally examined the foregoing and am familiar with the information contained in Section C. and all attachments and pertain to Section C., and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; and **(b)** I am fully authorized to make this attestation on behalf of this Stage II Compliance Testing Company.

Printed Name Of Compliance Testing Company
Responsible Official

Signature of Compliance Testing Company Responsible
Official

Date



Stage II Form C

Annual In-Use Compliance Certification

Section D is to
be completed by
the Stage II
System
Responsible
Official(s) only.

D. Stage II Facility Compliance Certification

1. Facility Operation, Maintenance and Record Keeping

- a. Are you in compliance with the requirements to correctly operate and maintain the Stage II system in accordance with the terms and conditions of the system's currently applicable Executive Order?

☐ Yes

☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status:

☐ #1

☐ #2

- b. Are you in compliance with the requirements to visually inspect the Stage II system every seven days to determine if any components are incorrectly installed, nonfunctioning or broken?

☐ Yes

☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status:

☐ #1

☐ #2

- c. Are you in compliance with the requirements to immediately remove from service incorrectly installed, nonfunctioning or broken components

☐ Yes

☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status:

☐ #1

☐ #2

- d. Are you in compliance with the requirements to conspicuously post "Out of Service" signs on incorrectly installed, nonfunctioning or broken components immediately upon being taken out of service?

☐ Yes

☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status:

☐ #1

☐ #2

- e. Are you in compliance with the requirements to re-install, repair or replace all incorrectly installed, nonfunctioning or broken components within 14 days of determination or to take such components out of service in accordance with the interim DEP Policy on Dispensing of Gasoline Through a Stage II System With Defective Components?

☐ Yes

☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status:

☐ #1

☐ #2

- f. Are you in compliance with the requirements to correctly maintain on-site, all inspector training and Stage II system maintenance records?

☐ Yes

☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status:

☐ #1

☐ #2

- g. Are you in compliance with the requirements to perform all required in-use compliance tests?

☐ Yes

☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status:

☐ #1

☐ #2



Stage II Form C

Annual In-Use Compliance Certification

D. Stage II Facility Compliance Certification (cont.)

h. Was each required in-use compliance test passed on the first try? ☐ Yes ☐ No

i. If no, are you in compliance with the requirements to correctly repair the Stage II system and pass the applicable in-use compliance test(s) within 14 days of the date the system first failed the test(s)?

☐ Yes

☐ No (If no, see h. ii. below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

ii. If no, are you in compliance with the requirements to stop dispensing gasoline after 14 days from the date of the first failed test and to conspicuously post “Out of Order” signs on all gasoline dispensers, until the Stage II system was correctly repaired and passed the applicable in-use compliance test(s)?

☐ Yes

☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

i. Are you in compliance with the requirements to perform and pass all required annual in-use compliance tests within the 30 days prior to the date postmarked on the envelope used to submit this Form C to DEP?

☐ Yes

☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

2. Compliance Status and Actions to Ensure Future Compliance

For each question answered “No” to in D.1 above, please identify:

- the non-compliance attested to;
- the action(s) taken to return to compliance and date completed; and
- the action(s) taken to ensure future compliance and date completed.

Please print. If more space is needed, please use the back of this page or additional pages as necessary.

I certify that, where I have indicated that I am the Stage II System Responsible Official, **(a)** I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; **(b)** systems¹ to maintain compliance are in place at the facility and will be maintained for the coming year even if the processes or operating procedures are changed over the course of the year; and, **(c)** I am fully authorized to make this attestation on behalf of the facility.

Printed name of Stage II System Responsible Official #1

Signature, Stage II System Responsible Official #1

Date

Printed name of Stage II System Responsible Official #2

Signature, Stage II System Responsible Official #2

Date

¹ For purposes of this statement, “systems to maintain compliance” means procedures that the Stage II facility owner and/or operator has established to ensure that weekly visual inspections and required tests are conducted, that broken or defective components are repaired, replaced or isolated and that required records are maintained.

Stage II Vapor Recovery Program Instructions for Completing Form C

Stage II Form C Annual In-Use Compliance Certification

These instructions have been designed to assist those who own and/or manage Stage II systems in completing forms required by the Department of Environmental Protection (DEP). Please refer to the full text of the Stage II Program regulations (310 CMR 7.00, Definitions, and 310 CMR 7.24(6), Dispensing of Motor Vehicle Fuel), which govern this Program. These instructions do not create any legal rights, and do not substitute for the Program regulations. To ensure that you are using the most current version of the Stage II forms and instructions, please call the Stage II Hotline (617/556-1035), or check the Stage II web page

<http://mass.gov/dep/bwp/dagc/dagcpubs.htm#stageii>

When Is Form C Used? Form C is used to notify DEP that a currently installed Stage II system is operated and maintained in accordance with program requirements and that required annual in-use compliance tests have been performed and passed.

For purposes of Form C, a “currently installed” Stage II system:

- was installed before January 1, 2001 and has not been substantially modified since January 1, 2001; or
- has been installed or substantially modified since January 1, 2001, and for which a Form A (and Form B if needed) has been submitted to DEP.

When is a Form C Submitted to DEP?

For each Stage II system, the applicable Form C submittal date is determined in one of three ways:

- For Stage II systems for which a Form C has been submitted to DEP since January 1, 2001, the deadline for submitting the next Annual In-Use Certification is one year from the date postmarked on the envelope used to submit the system’s last Annual In-Use Compliance Certification.
- For Stage II systems that have been installed or substantially modified since January 1, 2001 and for which a Form C has not been submitted yet to DEP, the submittal deadline for Form C is one year from the date postmarked on envelope used to submit the system’s Form A.
- For Stage II systems that were installed before January 1, 2001 and have not been substantially modified, and for which a Form C has not yet been submitted to DEP, the Form C submittal date will assigned by the Department based on the age of the Stage II system and volume of gasoline dispensed there. In such cases, DEP will notify the Stage II system Responsible Official by mail of the system’s applicable submittal date approximately 90 days before the deadline.

What Time Period Does Form C Apply To? Form C applies to the period of time between the date on which the last Form C (or Form A if the system has been newly installed or substantially modified) was submitted to DEP and the date the current Form C is submitted to DEP.

Who Must Sign Form C? To ensure the entire Stage II system is installed, operated, and maintained in accordance with program requirements all questions contained in Section D (Stage II Facility Compliance Certification) must be completed by the person responsible for ensuring compliance for each aspect of Stage II program requirements. If only one person is responsible for all aspects of Stage II program requirements, then that person should fully answer all questions contained in Section D and sign Form C as Stage II System Responsible Official #1. If two people are responsible for different aspects of the Stage II program requirements, then each person must answer those questions contained in Section D for which he/she is responsible, and sign Form C as Stage II System Responsible # 1 or Stage II System Responsible Official #2, as identified in Section A. 2 and 3.

The Responsible Official must review all information about Stage II system compliance activities required by Form C (including backup information that provides the basis for answers to questions on this Form) to make sure that the information is true, accurate and complete. If more than one person has been designated as Responsible Official for a Stage II System, then each person needs to review the information appropriate to the question he or she is answering. The Responsible Official(s) can base his or her certification on an inquiry of the individuals responsible for obtaining information about applicable compliance activities. Stage II System Responsible Official #1 is the point of contact for Stage II-related communication with the Department.

Who is Eligible to be the Stage II System Responsible Official? The type of person who may serve as a Stage II System Responsible Official depends on the type of entity that owns, operates, leases, or controls the system. The Responsible Official must be:

- In a sole proprietorship, the company's sole proprietor.
- In a partnership, a general partner with authority to bind the partnership.
- In a corporation or a non-profit corporation, a corporate official with authority to bind the corporation, e.g., president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision making functions of the corporation.
- In a municipality or other public agency, a principal executive officer or ranking elected official who is empowered to enter into contracts on behalf of the municipality or public agency.

Please note: Within a corporation or a municipality or other public agency, the Stage II System Responsible Official must have the authority to bind the organization with respect to Stage II systems for which he or she has been designated as "Stage II System Responsible Official". For example, in a large corporation, a district manager may be designated to serve as the Responsible Official for one or several Stage II Systems, as long as the designee has obtained the needed authority from the corporation.

What Must the Stage II System Responsible Official Attest To? By signing Form C, the Stage II System Responsible Official attests that, for each aspect of Stage II program compliance for which he or she is responsible:

- he or she has personally examined, and is familiar with, the information contained in the form and all its attachments;
- based on his or her inquiry of the person(s) responsible for providing the information, the information to which he or she is attesting is true, accurate and complete;
- systems to maintain compliance are in place at the facility;

Please Note: For purposes of this statement, "systems to maintain compliance" means procedures that the Stage II facility owner and/or operator has established to ensure that weekly visual inspections and required tests are conducted, that broken or defective components are repaired, replaced or isolated and that required records are maintained.

- he or she is authorized to attest on behalf of the facility; and
- he or she is aware that there are significant penalties for submitting false information, including possible fines and imprisonment.

How Should Form C be Submitted to DEP? Form C, with all original signatures, must be mailed via the US Postal Service to:

Department of Environmental Protection
Bureau of Waste Prevention – Stage II Program
One Winter Street, 8th Floor
Boston, MA 02108

Please Note: faxes, other copies and hand-delivered forms will not be accepted.

Directions for Completing Form C

Section A. Stage II System Documentation

For Section A. 1 – 5, please **print** the correct information in the space provided.

Section B. In-Use Compliance Testing Requirements

1. Compliance Tests Required To Be Performed and Passed.

To determine the compliance tests applicable to the Stage II system located at your facility:

- review the tests referenced on the most recent applicable Stage II certification for your Stage II system and the compliance testing requirements referenced in Section 7.24(6)(c) 3. b;
- contact your compliance testing company; or
- contact the DEP Stage II Hotline (617) 556-1035.

2. Testing and Submittal Dates.

The last day on which a completed Form C can be submitted to DEP in compliance with program requirements is the one-year anniversary of the postmarked date on the envelope used to submit the system's last Form C (or Form A if the system has been newly installed or substantially modified in the last year).

- A Form C can be submitted to DEP at any time prior to the one-year anniversary of the date on which the previous Form C was postmarked.
- All required Form C tests must be performed and passed during the 30 days prior to the date postmarked on the envelope used to submit this Form C to DEP. For example, if the date postmarked on the envelope used to submit Form C is June 10, 2001, then all required Form C tests must have been performed and passed no earlier than May 12, 2001. This requirement ensures that the test results reflect the current operating condition of the Stage II system.

There are situations where a system fails one or more of its compliance tests but the system cannot be repaired, retested and the Form fully completed and submitted to DEP within the 30-day window (e.g., due to a delay in obtaining a replacement part). In these cases, the compliance tests that cannot be passed within the 30-day window will need to be redone, to ensure that all tests are passed within the 30-day period.

Section C. Compliance Testing Company Certification

This Section must be completed by the Stage II compliance testing company and requires a signed certification by a Compliance Testing Company Responsible Official. The Compliance Testing Company Responsible Official is responsible for attesting only that the elements of Section C. and related attachments are complete and accurate.

Please Note: The Stage II System Responsible Official must ensure that all elements of Section C. are fully completed before submitting Form C to DEP.

Section D. Stage II Facility Compliance Certification

This Section must be completed by the Stage II System Responsible Officials, as applicable.

1. Facility Operation, Maintenance and Record Keeping

Check the appropriate box to answer each question.

2. Current Compliance Status and Actions to Ensure Future Stage II System Compliance

For each question answered "No" in D.1, please identify:

- the non-compliance attested to (for example, failed to correct damaged Stage II system components within required 14 days);
- the action(s) taken to return Stage II system to compliance (for example, called maintenance contractor to correct damaged equipment) and the date such actions were completed; and
- the action(s) taken to ensure future Stage II system compliance (for example, instituted a policy of maintaining replacement components on site for future repairs) and the date such actions were in place and operational.

If additional space is needed, please use additional pages as necessary.

3. Sign and date the form in the appropriate place.

If you have questions or need more information, please call DEP's Stage II Hotline (617/556-1035). The Hotline can provide:

- Stage II facility information on record in the DEP Stage II database.
- Help with finding your Stage II System's Executive Order number.
- A copy of your Stage II System's Executive Order.
- Blank forms.
- DEP fact sheets, inspection checklists and compliance assistance materials.

Blank forms and instructions, and program regulations are also available at DEP's Stage II web page <http://mass.gov/dep/bwp/daqc/daqcpubs.htm#stageii> Additional compliance assistance materials, fact sheets, inspection check lists, etc. will be posted as they are developed.